HOME SECRETARIAT.

NOTIFICATION

Dated Bangalore 20th April 1965.

G. S. R. 524.—The following draft of further amendments to the Mysore Motor Vehicles Rules, 1963 which the Government of Mysore proposes to make in exercise of the powers conferred by Sections 21, 21-J, 41, 65, 67, 68, 70, 91, 105, 107, 111-A and 133-A of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) and all other powers enabling it in this behalf, is hereby published as required by sub-section (1) of Section 133 of the said Act for information of all persons likely to be affected thereby, and notice is hereby given that the draft amendments will be taken up for consideration after one month from the date of publication of the draft in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the draft amendments before the date specified above will also be considered by the State Government. Objections and suggestions may be addressed to the Secretary to Government, Home Department, Vidhana Soudha, Bangalore-1.

Draft Amendments.

1. Title.—These rules may be called the Mysore Motor Vehicles (Fourth Amendment) Rules, 1965.

2. Amendment of rule 3:—In the Mysore Motor Vehicles Rules, 1963 (hereinafter referred to as the said rules), in rule 3, after clause (r) the following clause shall be inserted, namely:—

"(rr) 'Government Treasury' means the treasury or the sub-treasury of the district or sub-division or the office of Regional Transport Officer where a treasury is opened for the purpose of collection of taxes, and other amounts under the Mysore Motor Vehicles Taxation Act, 1957, the Mysore

Motor Vehicles (Taxation on Passengers and Goods Act, 1961) and the Motor Vehicles Act, 1939, and the rules made thereunder.".

3. **Amendment of rule 5.** —In rule 5 of the said rules,—

(i) in sub-rule (3) after the words "Contract Carriage" the words "other than motor cab and Auto-rickshaw" shall be inserted;

(ii) at the end of sub-rule (3), the following shall be added, namely:—

"Provided that for grant of authorisation to drive a Motor cab, it shall be sufficient if the applicant has had two years' experience in driving any motor vehicle other than a motor cycle, and provided further that for grant of authorisation to drive an Auto-rickshaw, no previous experience in driving shall be necessary.".

4. **Amendment of rule 12.**—In rule 12 of the said rules, in clause (*c*) of proviso to sub-rule (3), for the words "to leaving the army" the words "prior to leaving the said Army" shall be substituted.

5. **Amendment of rule 23.**—In rule 23 of the said rules in clause (*ix*), for the figures "221" the figures "220" shall be substituted.

6. **Amendment of rule 25.**—In rule 25 of the said rules, in clause (4),—

(i) after the words "in Kannada" the words "or in Hindi" shall be inserted; and

(ii) for the words "by any Officer of the Motor Vehicles or Police Department" the words, "any Officer of the Motor Vehicles Department not below the rank of an Inspector of Motor Vehicles or any officer of the Police Department not below the rank of a Sub-Inspector of Police" shall be substituted.

7. Amendment of rule 26.—In rule 26 of the said rules, in clause (17),—

(i) after the words "in Kannada", the words, "or in Hindi" shall be inserted ; and

(ii) for the words "any officer of the Motor Vehicles or Police Department", the words, "any officer of the Motor Vehicles Department not below the rank of an Inspector of Motor Vehicles or any officer of the Police Department not below the rank of a Sub-Inspector of Police" shall be substituted.

8. Amendment of rule 51.—In Rule 51 of the said rules,—

(i) in clause (1) for the words "Bush Coat" the words "Khaki Bush Coat" shall be substituted ; and

(ii) after clause (2) the following shall be inserted as clause (3) *viz* :—

"(3) Khaki Cap".

9. Amendment of rule 56.—In rule 56 of the said rules.—

(i) for sub-rule (2) the following sub-rule shall be substituted, namely :—

"(2) (*a*) The fee for a duplicate registration certificate issued under sub-rule (1) of rule 64 shall be rupees five.

(*b*) The fee for a duplicate registration certificate issued under sub-rule (2) of rule 64 shall be rupee one".

(ii) after sub-rule (5) the following sub-rule shall be inserted, namely :—

"(5A). The communication of the altered address to the original registering authority under sub-section (2) of section 30 of the Act shall be in Form 28 (A) AAD".

10. Amendment of rule 60.— In rule 60 of the said rules, in the proviso, for the figures "68", the figures '69" shall be substituted.

11. amendment of rule 61.—In rule 61 of the said rules,–

(i) in sub-rule (3) for the words and figures "Form 35" the word, figures and letters "Form **35** R. M. I" shall be substituted;

(ii) in sub-rule (5) for the figures "55", the figures "56" shall be substituted.

12. Amendment of rule 64.— In rule 64 of the said rules, in sub-rule (1) for the word, figures and letters "Form No. 35 R. M. I" the word, figures and letters "Form 36 C. R. L. D." shall be substituted.

13. Amendment of rule 67.— In rule 67 of the said rules, for the figures "33", the figures, brackets and letter "33 (b)" shall be substituted.

14. Amendment of rule 69.—In rule 69 of the said rules, in sub-rule 5,—

(i) after the words and figure "not more than 3 figures", the words "and followed by one letter of the alphabet in respect of each certificate" shall be inserted;

(ii) for the word, figures and letters "Form 40 T. C. A.", the word, figures and letters "Form 41 T. C." shall be substituted.

15. Amendment of rule 70.— In rule 70 of the said rules, in sub-rule (3), for the figures "53" the figures "54" shall be substituted.

16. Amendment of rule 79.— In rule 79 of the said rules, for sub-rule (1), the following sub-rule shall be substituted, namely.—

"(1) All transport vehicles shall at all reasonable times be open to inspection by any officer of the Motor Vehicles Department not below the rank of an Inspector of Motor Vehicles".

17. Amendment of rule 84.— In rule 84 of the said rules, for the number and the heading, the number and heading "84. *Certificate of Fitness,-Lost, destroyed or defaced*" shall be substituted.

18. Amendment of rule 88.—In rule 88 of the said rules, after sub-rule (1), the following proviso shall be inserted, namely :—

"Provided that in the case of every official member of the State Transport Authority or a Regional Transport Authority, his appointment as a member shall be made and notified by virtue of offiice".

19. Amendment of rule 91.—In rule 91 of the said rules, in sub-rule (1) at the end of the proviso, the words "and a copy of the agenda of the subjects to be considered at a public hearing shall also be caused to be published on the notice board of the office of the Secretary of the Regional Transport Authority at least seven days before the date fixed for the public hearing" shall be added.

20. Insertion of new Rule 95-A.—After rule 95 of the said rules, the following rule shall be inserted, namely :—

"**95-A. Delegation of powers by Regional Transport Authorities to their Chairmen.**—The Regional Transport Authority, may for the convenient and prompt despatch of its business, by a general or special resolution and subject to such condition as may be specified therein, delegate to its Chairman the following powers, namely :—

(*a*) power under section 63 of the Act to grant countersignatures for permits in respect of public carriers and private carriers plying on inter-State routes ;

(*b*) power under inter-State agreements to make recommendations or nominations for grant of countersignatures in respect of public carriers and private carriers plying on inter-State routes.".

21. **Amendment of Rule 96.**—In rule 96 of the said rules, in clause (xiii), for the words, figures and brackets "Section 59 (1) and 60 (1)", the words, figures and brackets, "sections 59 (1) and 61" shall be substituted.

22. **Amendment of Rule 109.**—In rule 109 of the said rules, in the heading after the words "Additional Conditions", the words "for Stage Carriages" shall be inserted.

23. **Insertion of new rule 109-A.**—After rule 109 of the said rules, the following rule shall be inserted, namely :—

"**109-A. General conditions of permits for transport vehicles** :—It shall be a condition of the permit of every transport vehicle that the holder thereof,

(*i*) shall ensure that the vehicle is driven only by a driver duly authorised in this behalf under the provisions of the Act and the rules thereunder.

(*ii*) shall not use the vehicle or cause or allow it to be used in the commission of any offence punishable under the Indian Penal Code or any other law for the time being in force.".

24. **Amendment of Rule 112.**—In rule 112 of the said rules,—

(1) in sub-rule (2), for the words "at notified stations", the words "at such police stations as may be notified by the State Transport Authority from time to time" shall be substituted.

(2) after sub-rule (3), the following shall be inserted as sub-rule (4), *viz.*,—

"(4) The owner of a goods vehicle shall maintain a Way Bill Register in Form No. 15-A.WBR and shall furnish the extracts of the said register to the Secretary of the Regional Transport Authority at the end of each month.".

25. Amendment of Rule 115.—In rule 115 of the said rules, for sub-rule (13) the following sub-rule shall be substituted, namely :—

"(13) The agent shall when on duty, wear in a conspicuous place on his left breast a metal badge illustrated in Appendix VII to these rules issued by the Regional Transport Authority inscribed therein, the name of the authority by which the licence has been granted and the words "Ticket Booking Agent" together with an identification number. The licence so issued shall not be transferable and shall be surrendered by the Agent to the Regional Transport Authority in the event of his licence being suspended, cancelled or not renewed. The fee for issue of the Agent's badge shall be Rs. 2. If the badge is lost or destroyed a duplicate badge shall be issued on payment of a fee of Rs. 2 by the Regional Transpority which issued it.".

26. Amendment of Rule 117 .—In rule 117 of the said rules, in sub-rule (1), for the figures "112" the figures "116" shall be substituted, and for the word and figures "Rule 114" the words and figures "Rules 115 and 116" shall be substituted.

27. Amendment of Rule 120.—In rule 120 of the said rules, in sub-rule (iii), after the words "the Temporary permit" the words "or the Special permit" shall be inserted.

28. Amendment of Rule 142 .—In rule 142 of the said rules, in sub-rule (2) for the words "and convenient parking places", the words " convenient parking places and a notice board exhibited at a prominent place showing the timings of departure of Stage Carriages starting from that particular place and also arrival timings for the information of the public" shall be substituted.

29. Amendment of Rule 154.—In rule 154 of the said rules, in sub-rule (7), for the word, figures and letters "Form No. 78 LLA", the word, figures and letters "Form 80 L.Ad.A" shall be substituted.

30. Amendment of Rule 164.—In rule 164 of the said rules, after clause (e), the following clause shall be inserted, namely :—

"(f) An officer of the State Excise Department not below the rank of an Assistant Inspector of Excise".

31. Insertion of new rule 197-A.—After rule 197 of the said rules the following rule shall be inserted, namely :—

"**197-A. Fitment of Tacograph for Transport Vehicles.**–

(1) Every transport vehicle other than a motor cab, tractor and trailer shall be fitted with an instrument (hereinafter referred to as Tacograph) at all times to indicate and record on the graph fitted to it (hereinafter referred to as the chart), the speed at which the vehicle is travelling or has travelled.

(2) A Tacograph shall be deemed to satisfy the requirements of this rule if upon test it is found to be accurate within ten per cent above or below the speed specified for the vehicle in the Eighth Schedule to the Act.

(3) The owner or driver of the vehicle shall before the commencement of the trip, fill up the particulars in the centre field of the chart.

(4) The chart shall be replaced by fresh chart once in every twenty four hours after adjusting the chart to the time of commencement or resumption of journey.

(5) The used charts shall be preserved by the owner of the vehicle for a period of one year and shall be made available for inspection to an officer of the Police Department not below the rank of a

Sub-Inspector or an officer of the Motor Vehicles Department not below the rank of an Inspector of Motor Vehicles.

(6) A vehicle fitted with Tacograph shall not be required to be fitted with a speedometer under rule 197".

32. Amendment of Rule 200 .—In rule 200, of the said rules, in sub-rule (2), the figures and word "3 inches", shall be omitted.

33. Amendment of Rule 201 .—In rule 201 of the said rules, in the first proviso to sub-rule (1), for the words " thirty-four feet", the words "Thirty-six feet" shall be substituted.

34. Insertion of new rule 210-A.—After Rule 210 of the said rules, the following rule shall be inserted, namely :—

" **210-A. Annual inspection of certain motor vehicles.**— Every motor vehicle other than a transport vehicle, the age of which exceeds 25 years, shall be subject to an annual inspection and examination by the Inspector of Motor Vehicles. The test for such motor vehicles shall be mainly in respect of three items, namely, brakes, steering control and light. If the vehicle does not come up to the standard of requirements in respect of the said items, the Registering Authority shall, if it is the original registering authority in respect of that vehicle, cancel the certificate of registration, or if it is not the original registering authority, shall forward the report and the certificate of registration to the original registering authority which shall cancel the registration and the certificate of registration".

35. Amendment of Rule 217 .—In Rule 217 of the said rules, after the words "in Stage Carriages", the words "and also in contract carriages owned by the factories connected with defence and plied for the use of their employees" shall be inserted.

36. Omission of rule 318 .—Rule 318 of the said rules shall be omitted.

37. Amendment of rule 327 .—In rule 327 of the said rules, after sub-rule (3), the following sub-rule shall be added, namely :—

"(4) The driver of a transport vehicle other than a motor cab shall slow down the vehicle to a speed of not more than five miles when he is within a distance of 50 yards from a fast moving light motor vehicle coming from the rear and shall not exceed that speed till the other vehicle completely overtakes his vehicle.".

38. Amendment of Rule 331.—In rule 331 of the said rules, in clause (iii) (*a*) of sub-rule (3) for the words "after sunset", the words "before sunrise" shall be substituted, and for the words "before sunrise", the words "after sunset" shall be substituted.

39. Insertion of new Rule 367-A.—After rule 367 of the said rules, the following rule shall be inserted namely:—

"**367—A.—Powers of Officers of the Motor Vehicles Department.**—Any officer of the Motor Vehicles Department of and above the rank of an Inspector of Motor Vehicles shall exercise the powers under the provisions of sections 73, 86 (1), 88, 89 (*b*), 90, 106 (1) and (3), 128, 129 and 129A.".

40. Amendment of Rule 368.—In rule 368 of the said rules, the following sentence shall be added at the end of the second paragraph, *viz.*—

"The Stars and the shoulder badges shall be worn on green ribbon".

41. Amendment of Appendix I.—In Appendix I to the said rules,—

(1) in Form 1 LTVA, the words beginning with "I possess adult first aid certificate" and ending with words "and attach the same herewith" shallbe omitted;

(2) after Form No. 15 (G. V. R.), the following Form shall be inserted, namely.—

"FORM No. 15-A WBR

[Rule 112 (4)]

Strike where not applicable.

RECORD OF DAILY HAULAGE

Name and address of the permit holder.	Type of permit.	Registration No. of vehicle	Carrier.	Date
.....	Permanent / Temporary	.....	Public / Private	.....

Sl. No. of trip	Name and address of sender or Booking Agent(s)	Name and address of consignee(s)	Name of commodity carried	Weight (mds) Quintals.
1	2	3	4	5

*Origin	Designation	No. of miles/ kilometers (*i.e.*, distance between 6 & 7)	Md. Miles/ Quintal KMs. performed (Col. 5 & Col. 8)	Freight charged (In Rupees)	Remarks
6	7	8	9	10	11

Signature of
Permit holder.....

Licence No. of
Driver and Signature.....

N.B.-If more than one commodity is carried during the same trip or booked between places enroute, the debits of each commodity have to be shown separately in separate lines under all columns.

*Generally origin and destination of the vehicles will be origin and destination of cargo. In case they are different, origin and destination of cargo/es may be inserted under Col. (6) and (7) respectively with a note in the remarks column showing the origin and destination of the vehicle" ;

(3) After Form No. 28 C. R. Temp. A, the following form shall be inserted, namely :—

"FORM No. 28 (A)—AAD

(Rule 56-A)

Communication to the Original Registering Authority of alteration of address of the owner of a Motor Vehicle.

To

The Registering Authority,

.....Region.

The address of the registered owner of Motor Vehicle bearing registration No.....has been altered from (1).....(2).....

.....with effect from.....

Place..... Registering Authority,

Dated..... .....Region.

Note :—(1) Here enter the address of the owner as entered in the Registration certificate of the vehicle prior to the alteration.

(2) Here enter the new address of the owner;"

(4) In Form No. 64 P. Pr. C., for the word, figures and brackets, "Rule 104 (viii)", the word, figures and brackets "Rule 104 (vii)" shall be substituted;

(5) In Form 65 P. PU. C., for the word, figures and brackets "Rule 106 (vii)", the word, figures and brackets "Rule 104 (viii)" shall be substituted;

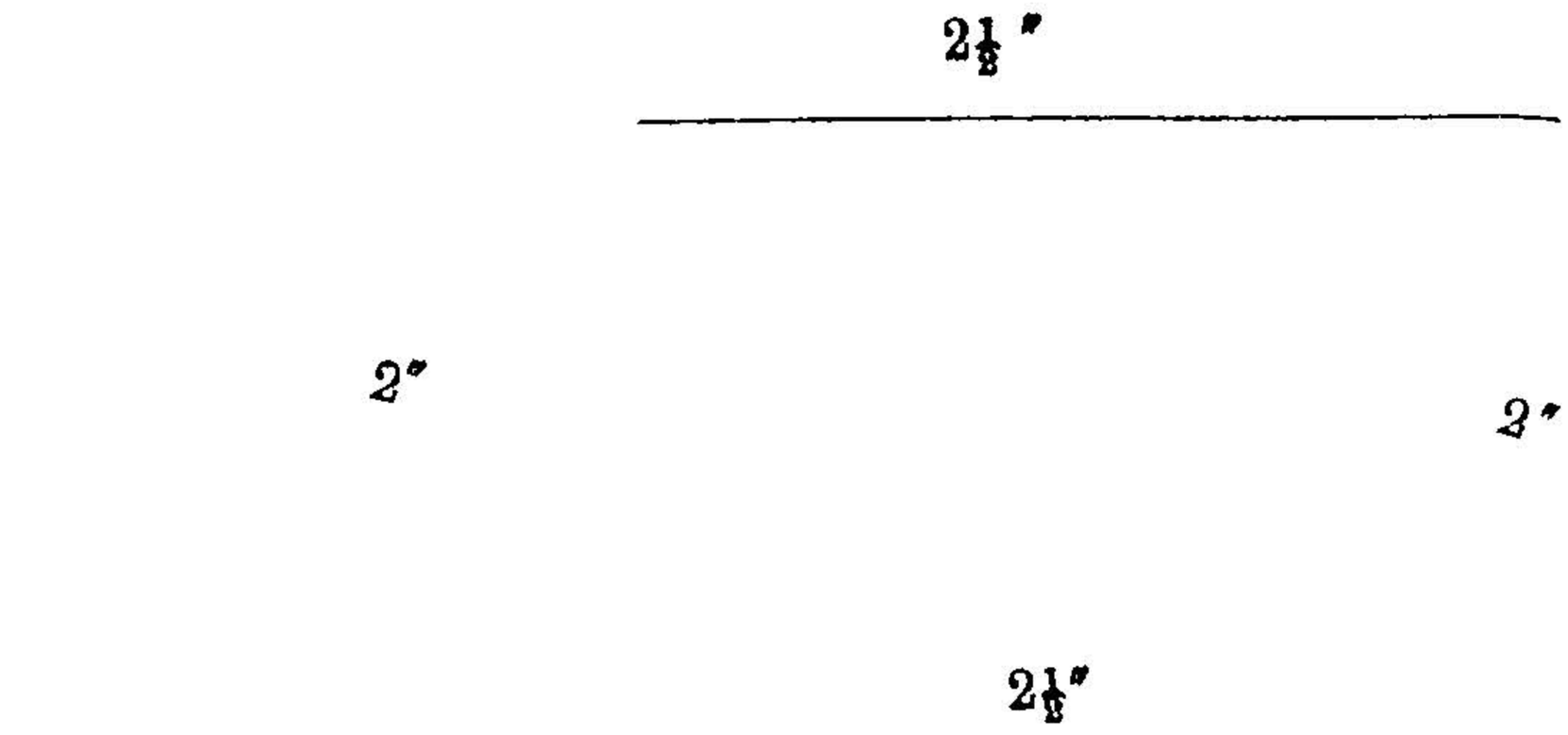
(6) In Form No. 68 T. G., for the figures and letters "68 T. G." the figures and letters "68 T. G. R" shall be substituted.

42. Insertion of new Appendix VII.—After Appendix VI to the said rules, the following shall be added as Appendix VII, namely,—

APPENDIX VII

[Rule 115 (13)]

Specimen of Agents' Badge issued under sub-rule (13) of Rule 115.



[No. HD 113 TMR 63.]

By Order and in the name of the Governor of Mysore,

32 V. RAMANATHAN, *Under Secy.*